

City Council Introduction: **Monday**, June 3, 2002
Public Hearing: **Monday**, June 10, 2002, at **1:30 p.m.**

Bill No. 02R-121

FACTSHEET

TITLE: **PRELIMINARY PLAT NO. 01020, HARTLAND HOMES SOUTHWEST**, requested by Brian D. Carstens and Associates on behalf of Hartland Homes, Inc., for 187 lots and 4 outlots, with requests to waive block length and street trees, on property generally located at S.W. 27th Street and South Street.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUESTS: Miscellaneous No. 01011 (02-69); Change of Zone No. 3361 (02-70); and Special Permit No. 1951, Hartland Homes Southwest Community Unit Plan (02R-120).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 4/03/02
Administrative Action: 04/03/02

RECOMMENDATION: Conditional Approval (8-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward and Bills-Strand voting 'yes'; Taylor absent).

FINDINGS OF FACT:

1. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.4, concluding that the community unit plan and preliminary plat are in general conformance with the Subdivision and Zoning Ordinance.
2. On April 3, 2002, this preliminary plat and the associated Miscellaneous No. 01011, Change of Zone No. 3361 and the Hartland Homes Southwest Community Unit Plan were placed on the Consent Agenda of the Planning Commission and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval, as set forth in the staff report dated March 20, 2002. The conditions of approval are found on p.4-6.
4. On April 4, 2002, a letter reflecting the action of the Planning Commission and the conditions of approval was mailed to the applicant (p.2-5).
5. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been submitted by the applicant and approved by the reviewing departments.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: May 17, 2002

REVIEWED BY: _____

DATE: May 17, 2002

REFERENCE NUMBER: FS\CC\2002\PP.01020

April 4, 2002

Brian D. Carstens
601 Old Cheney Rd. Suite C
Lincoln, NE 68512

Re: Preliminary Plat No. 01020
HARTLAND HOMES SOUTHWEST

Dear Mr. Carstens:

At its regular meeting on Wednesday, **April 3, 2002**, the Lincoln-Lancaster County Planning Commission granted approval to your preliminary subdivision, **Hartland Homes Southwest**, located in the general vicinity of **SW. 27th & South St.**, subject to the following conditions:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to show:
 - 1.1.1 Easements requested by Lincoln Electric System
 - 1.1.2 Revise the Landscape Plan to show screening of the multiple family dwellings. This screen shall be located between the structures and the adjacent property line.
 - 1.1.3 Show how the lots fronting on South Street are to be served by sanitary sewer.
 - 1.1.4 Show the entire right-of-way of South Street and Southwest 27th Street graded and urban cross-section pavement built.
 - 1.1.5 Show the required storm sewer in South Street and Southwest 27th Street.
 - 1.1.6 Add an easement over the detention areas to include the detention area, the outlet works and access for maintenance. The easement, as a minimum, needs to include all areas within the 100 year backwater depth plus one foot.

- 1.1.7 Submit 100 year flow elevations and calculations documenting how they were calculated.
- 1.1.8 Add a note to the grading plan stating that as-built plans and final design calculations will be submitted upon completion of the grading and accompanying detention facilities.
- 1.1.9 Add a note to the Landscape Plan stating that existing trees located on Blocks 5, 6, and 7 will be removed during the development process, except for those located along the east side.
- 1.1.10 Submit a corrected Ownership Certificate showing owner of record for all of Block 38.

2. The City Council approves associated request:

2.1 Change of Zone 3361

2.2 Special Permit 1951

2.3 The following waivers to design standards:

2.3.1 Street trees on SW 27th St.

2.3.2 Extension of block length to 1980.44 feet in Block 6.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:

- 3.1 Streets, sidewalks, public water distribution system, public wastewater collection system, drainage facilities, ornamental street lights, landscape screens, street trees, temporary turnarounds and barricades, street name signs, and permanent survey monuments have been completed or the subdivider has submitted a bond or an approved escrow of security agreement to guarantee their completion.
- 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 3.2.1 To submit to the Director of Public Works an erosion control plan.
 - 3.2.2 To protect the remaining trees on the site during construction and development.
 - 3.2.3 To submit to lot buyers and home builders a copy of the soil analysis.

- 3.2.4 To continuously and regularly maintain street trees and landscape screens.
- 3.2.5 To complete the private improvements shown on the preliminary plat and community unit plan.
- 3.2.6 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
- 3.2.7 To perpetually maintain the sidewalks in the pedestrian way easements at their own cost and expense.
- 3.2.8 To file with the Register of Deeds an avigation and noise easement, satisfactory to the Lincoln Airport Authority.
- 3.2.9 To comply with the provisions of the Land Subdivision Ordinance regarding land preparation.

The findings of the Planning Commission will be submitted to the City Council for their review and action. You will be notified by letter if the Council does not concur with the conditions listed above.

You may appeal the findings of the Planning Commission to the City Council by filing a notice of appeal with the City Clerk. The appeal is to be filed within 14 days following the action by the Planning Commission. You have authority to proceed with the plans and specifications for the installation of the required improvements after the City Council has approved the preliminary plat. If you choose to construct any or all of the required improvements prior to the City's approval and acceptance of the final plat, please contact the Director of Public Works before proceeding with the preparation of the engineering plans and specifications. If the required minimum improvements are not installed prior to the City Council approving and accepting any final plat, a bond or an approved Agreement of Escrow of Security Fund is required.

The approved preliminary plat is effective for only ten (10) years from the date of the City Council's approval. If a final plat is submitted five (5) years or more after the effective date of the preliminary plat, the City may require that a new preliminary plat be submitted. A new preliminary plat may be required if the subdivision ordinance or the design standards have been amended.

You should submit an ownership certificate indicating the record owner of the property included within the boundaries of the final plat when submitting a final plat.

The Subdivision Ordinance requires that there be no liens of taxes against the land being final platted and that all special assessment installment payments be current. When you submit a final plat you will be given forms to be signed by the County Treasurer verifying that there are no liens of taxes and by the City Treasurer verifying that the special assessment installment payments are current.

Sincerely,

J. Greg Schwinn, Chair
City-County Planning Commission

cc: Owner
Public Works - Dennis Bartels
LES
Alltel Communications Co.
Cablevision
Fire Department
Police Department
Health Department
Parks and Recreation
Urban Development
Lincoln Public Schools
County Engineers
City Clerk
File (2)

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

DATE: March 20, 2002

P.A.S.: Change of Zone # 3361 (AGR to R-3)
Special Permit #1951-Hartland Homes SW Community Unit Plan
Preliminary Plat #01020- Hartland Homes SW

PROPOSAL: To create 120 multi-family units and 186 single-family units on 51.94 acres located at SW. 27th St. and W. South St.

WAIVER REQUEST: Exceed block length on W. Plum St./SW. 25th St. from 1320 feet to 1980 feet.

Street trees along SW. 27th Street.

LAND AREA: 51.94 acres more or less.

CONCLUSION: The change of zone conforms to the Comprehensive Plan.
The preliminary plat and special permit require minor modifications, but are in general conformance with the Subdivision and Zoning Ordinance.

RECOMMENDATION:	Change of Zone #3361	Approval
	Special Permit #1951(C.U.P.)	Conditional Approval
	Preliminary Plat #01020	Conditional Approval
	Waiver of Sec. 26.23.130(block length)	Approval
	Waiver of Sec. 26.27.090(street trees)	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 38 and 39 I.T., all of Blocks 13-20; the north ½ of Block 37 and all of Blocks 38, 39 and 40; Hawthorne Addition, located in the NW 1/4 of Section 33, T10N, R6E, Lancaster County, Nebraska.

LOCATION: SW. 27th Street and South Street.

APPLICANT: Hartland Homes, Inc.
P.O. Box 22787
Lincoln, NE 68542

OWNER: Hartland Homes, Inc.
P.O. Box 22787
Lincoln, NE 68542

CONTACT: Brian D. Carstens
601 Old Cheney Rd. Suite C
Lincoln, NE 68512

EXISTING ZONING: AGR Agricultural Residential

EXISTING LAND USE: Agriculture

SURROUNDING LAND USE AND ZONING:

North:	R-3 and AGR	Single family residential.
South:	AGR and R-3	Vacant and Roper Elementary School
East:	R-2	Single family residential.
West:	H-4 and P	Vacant

COMPREHENSIVE PLAN SPECIFICATIONS: This area is shown as Urban Residential in the Comprehensive Plan. This site lies within the SW. 27th and West "A" Subarea Plan of the Comprehensive Plan approved February 18, 1997. The site is within the Future Service Limit.

HISTORY:

Date when preliminary plat was submitted: **November 20, 2001**
Date when Planning Director's letter was sent: **December 20, 2001**
Date when revised preliminary plat was submitted: **February 28, 2002**

CZ #3303 Approved in April, 2001, changed zoning from AGR to R-3 on a portion of Lot 102 IT abutting this plat to the north.

CZ #3258 Approved in April, 2001, changed zoning from AGR to R-3 on a portion of Lot 102 IT abutting this plat to the north.

PP #00013 In April, 2001, Aspen Ridge was approved allowing 63 single family lots. Aspen Ridge abuts this plat to the north.

CZ #3044 Approved in March, 1998, changed zoning from AGR to H-4 west of SW 27th St. north and south of West "A" St abutting this plat to the west.

Changed from AA Rural and Public Use District to AGR Agricultural Residential District in the 1979 zoning update.

UTILITIES: Water--- A 12 inch water main exists on W. South St.
A 12 inch water main must be built on SW 27th Street abutting this plat.

Sewer— There is no existing sanitary sewer in W. South Street or SW 27th Street abutting this plat.

TRAFFIC ANALYSIS: SW 27th Street and W. South St. abutting this plat are rural gravel roads. Public Works notes that SW 27th St. and W. South St. need to be paved to urban street standards. SW 27th St and W. South St are identified as local streets in the Comprehensive Plan. South St. is identified as a Urban Collector in the Future Functional Street and Road Classification.

The proposed plat provides connections to SW. 27th St., W. South St., and two connections to the north on SW. 25th St. and SW 26th St.

PUBLIC SERVICE: The nearest fire station is Station #13 located at approximately Coddington Ave. and West A. St.

Roper elementary school is located at Coddington Ave. and W. South St.

ANALYSIS:

1. This is an application for a preliminary plat for 187 lots and four outlots; a special permit for a community unit plan for 306 dwelling units consisting of 186 single family units and 120 multiple family units and a change of zone from AGR to R-3.
2. This application request waivers to street trees along SW 27th Street and to exceed the block length on W. Plum/SW 25th Street. The landscape plan shows an existing line of trees along SW 27th Street to remain. Parks Department does not object to this waiver.

A cross street from SW 25th Street to the east is not possible. The area abutting this plat to the east is developed with single family houses.

3. The entire plat lies within Airport Environs Noise District. Approximately one half of the single family lots and the apartment complex are between the LDN 65 line and LDN 70 line. An Avigation and Noise Easement to the airport authority is required. The applicant will be required to file the easement with the Register of Deeds prior to scheduling final plats on the Planning Commission Agenda.
4. The Land Use Plan shows this area as residential, urban.
5. The proposed Preliminary Plat and Community Unit Plan are consistent with the L a n d Subdivision and Zoning Ordinance.

PRELIMINARY PLAT

CONDITIONS:

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2. The City Council approves associated request:

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Prepared by:

Tom Cajka
Planner

PRELIMINARY PLAT NO. 01020 HARTLAND HOMES SOUTHWEST

CONSENT AGENDA

April 3, 2002

PUBLIC HEARING AND

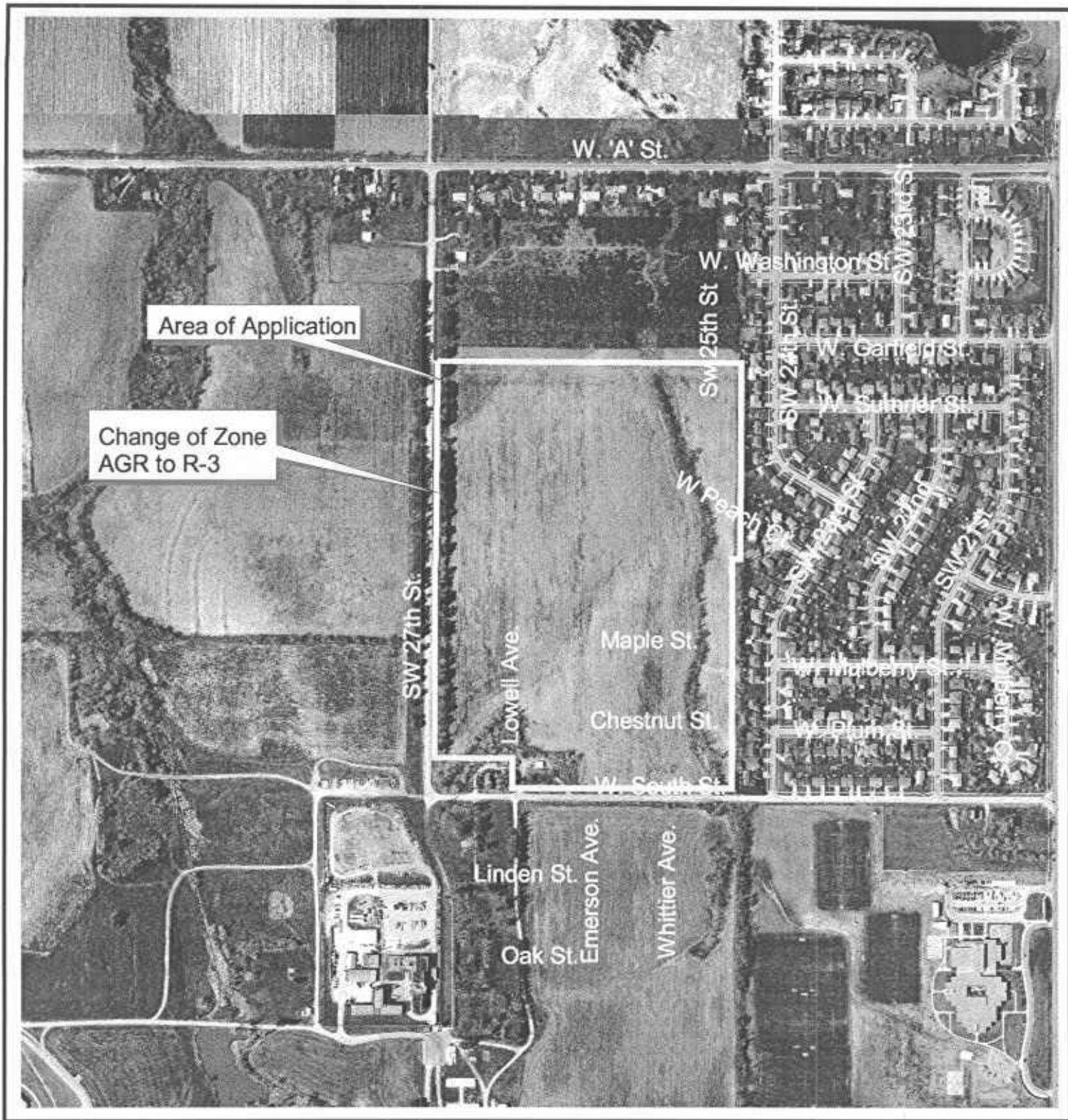
ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

Members present: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3361; SPECIAL PERMIT NO. 1951, HARTLAND HOMES SOUTHWEST COMMUNITY UNIT PLAN; PRELIMINARY PLAT NO. 01020, HARTLAND HOMES SOUTHWEST; MISCELLANEOUS NO. 01011; PRE-EXISTING USE PERMIT NO. 9S; PRE-EXISTING SPECIAL PERMIT NO. 23E; SPECIAL PERMIT NO. 1962; SPECIAL PERMIT NO. 1963; SPECIAL PERMIT NO. 1774A, AMENDMENT TO THE WILDERNESS ESTATES 3RD ADDITION COMMUNITY UNIT PLAN; SPECIAL PERMIT NO. 1952, HAWKSWOOD ESTATES 1ST ADDITION COMMUNITY UNIT PLAN; and PRELIMINARY PLAT NO. 01024, HAWKSWOOD ESTATES 1ST ADDITION.**

Item No. 1.3, Pre-Existing Special Permit No. 23E, was removed from the Consent Agenda and scheduled for separate public hearing.

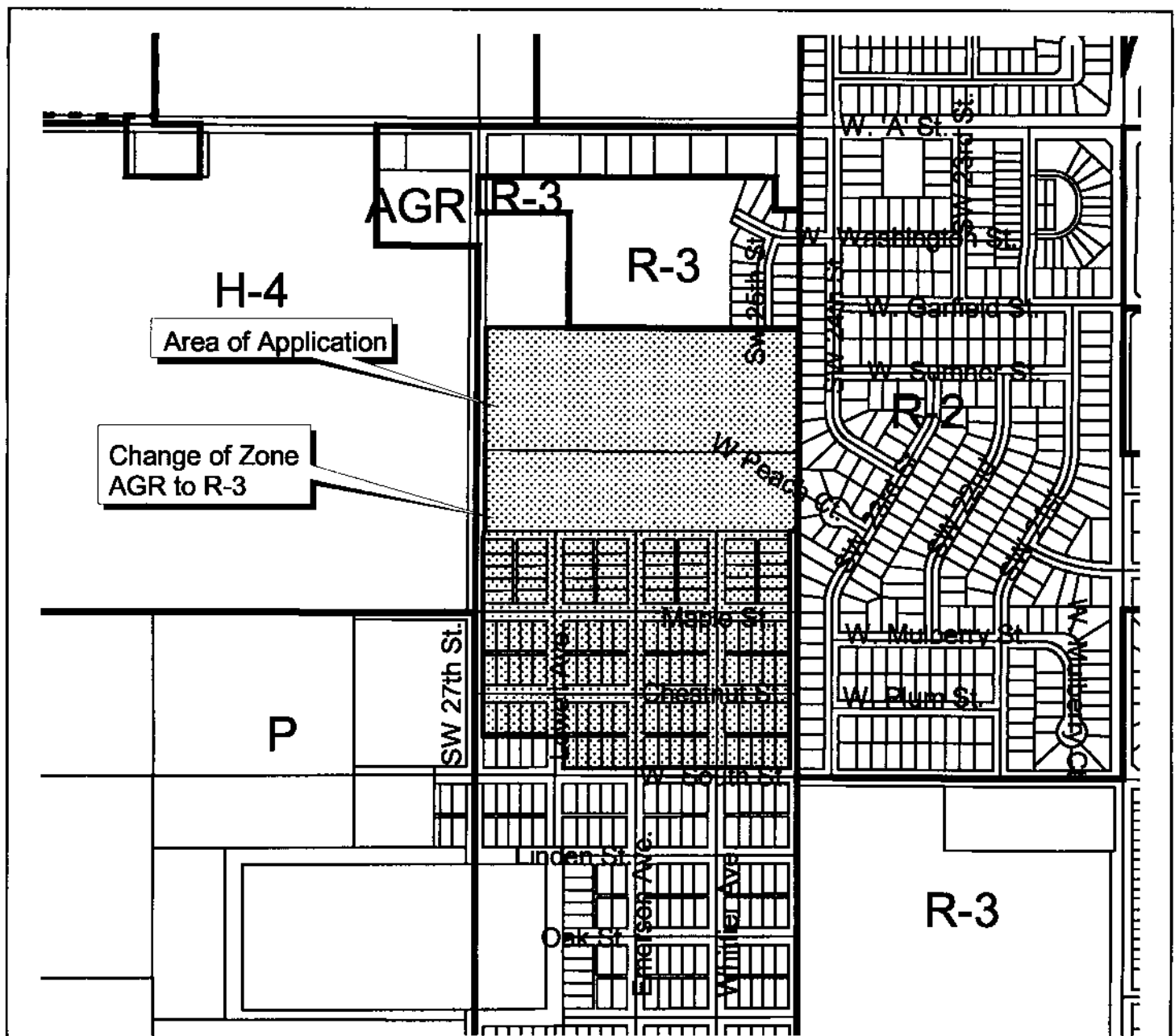
Carlson moved to approve the remaining Consent Agenda, seconded by Newman and carried 8-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward and Bills-Strand voting 'yes'; Taylor absent.



**Preliminary Plat #01020
 Special Permit #1951
 Change of Zone #3361
 Hartland Homes Southwest
 SW 27th & South St.**



012

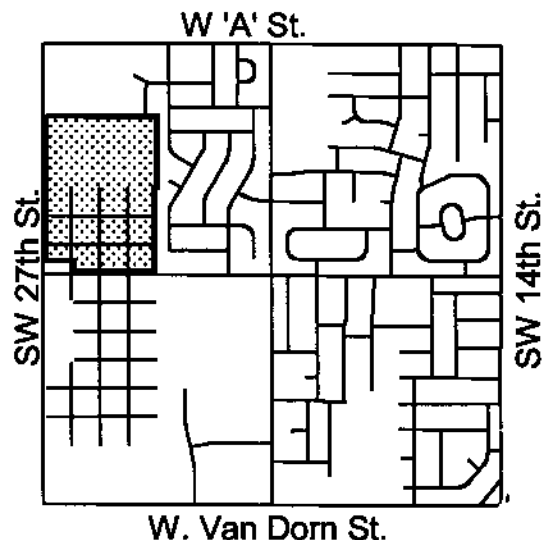
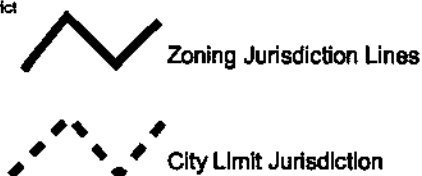


Preliminary Plat #01020
Special Permit #1951
Change of Zone #3361
Hartland Homes Southwest
SW 27th & South St.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 33 T10N R6E



013

LEGAL DESCRIPTION:

LOTS 38 AND 39 IRREGULAR TRACTS, AND ALL OF BLOCKS 13, 14, 15, 16, 17, 18, 19 AND 20, AND LOTS 1 THROUGH 5, BLOCK 37 AND ALL OF BLOCKS 38, 39 AND 40, HAWTHORNE ADDITION TOGETHER WITH ADJACENT STREETS AND ALLEYS, EXCEPT FOR SOUTHWEST 27TH STREET, WEST SOUTH STREET, AND THE EAST-WEST ALLEY OF BLOCK 37, ALL BEING LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 38 IRREGULAR TRACT, SAID POINT BEING ON THE WEST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER;

THENCE ON THE NORTH LINE OF SAID LOT 38, ON AN ASSIGNED BEARING OF N 89°41'55" E, 1326.76 FEET TO THE NORTHEAST CORNER OF SAID LOT 38;

THENCE ON THE EAST LINE OF SAID WEST HALF, S 00°10'26" E, 1784.05 FEET, TO A POINT ON THE NORTH LINE OF WEST SOUTH STREET;

THENCE ON SAID NORTH LINE, S 89°28'03" W, 1036.21 FEET, TO A POINT ON THE WEST LINE OF LOWELL AVENUE;

THENCE ON SAID WEST LINE, N 00°31'03" W, 139.00 FEET, TO A POINT ON THE NORTH LINE OF THE EAST-WEST ALLEY IN BLOCK 37 EXTENDED EASTERLY;

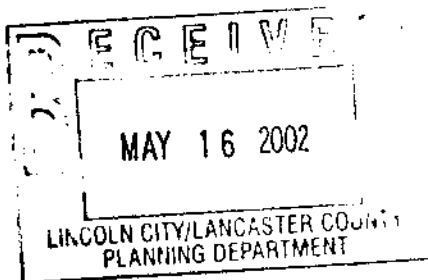
THENCE ON SAID NORTH LINE OF ALLEY, S 89°28'03" W, 261.00 FEET, TO A POINT ON THE EAST LINE OF SOUTHWEST 27TH STREET;

THENCE ON SAID EAST LINE, N 0°31'03" W, 459.01 FEET, TO THE NORTHWEST CORNER OF SAID BLOCK 20;

THENCE CONTINUING ON SAID EAST LINE, N 0°27'08" W, 365.26 FEET, TO THE CENTERLINE OF POPLAR STREET;

THENCE ON SAID CENTERLINE OF POPLAR STREET, S 89°28'03" W, 26.72 FEET, TO A POINT ON THE WEST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER;

THENCE ON SAID WEST LINE, N 0°00'00" E, 826.13 FEET, TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 53.02 ACRES, MORE OR LESS.



MAY 16 2002

LINCOLN CITY/AMCASTER COUNTY
PLANNING DEPARTMENT

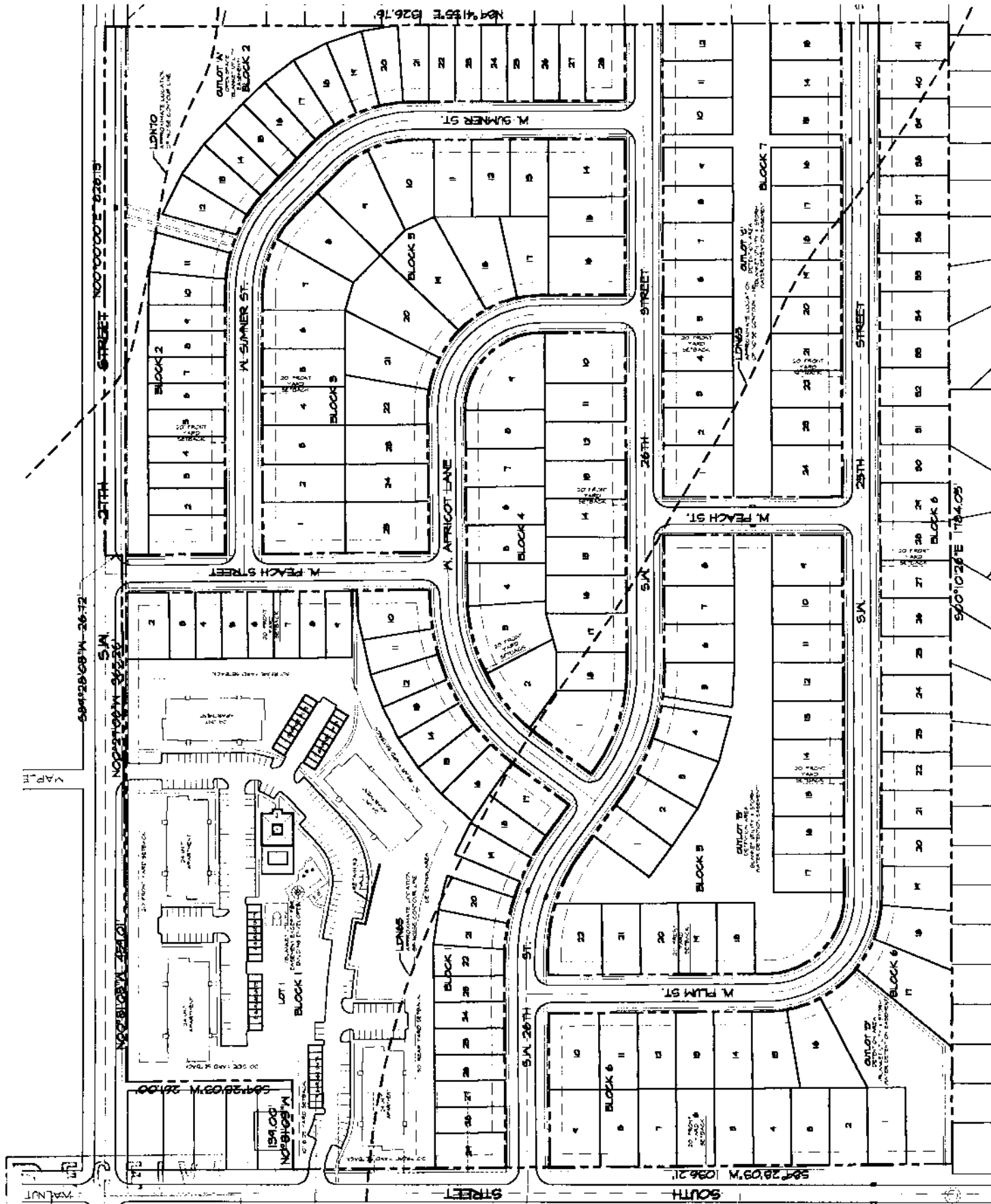
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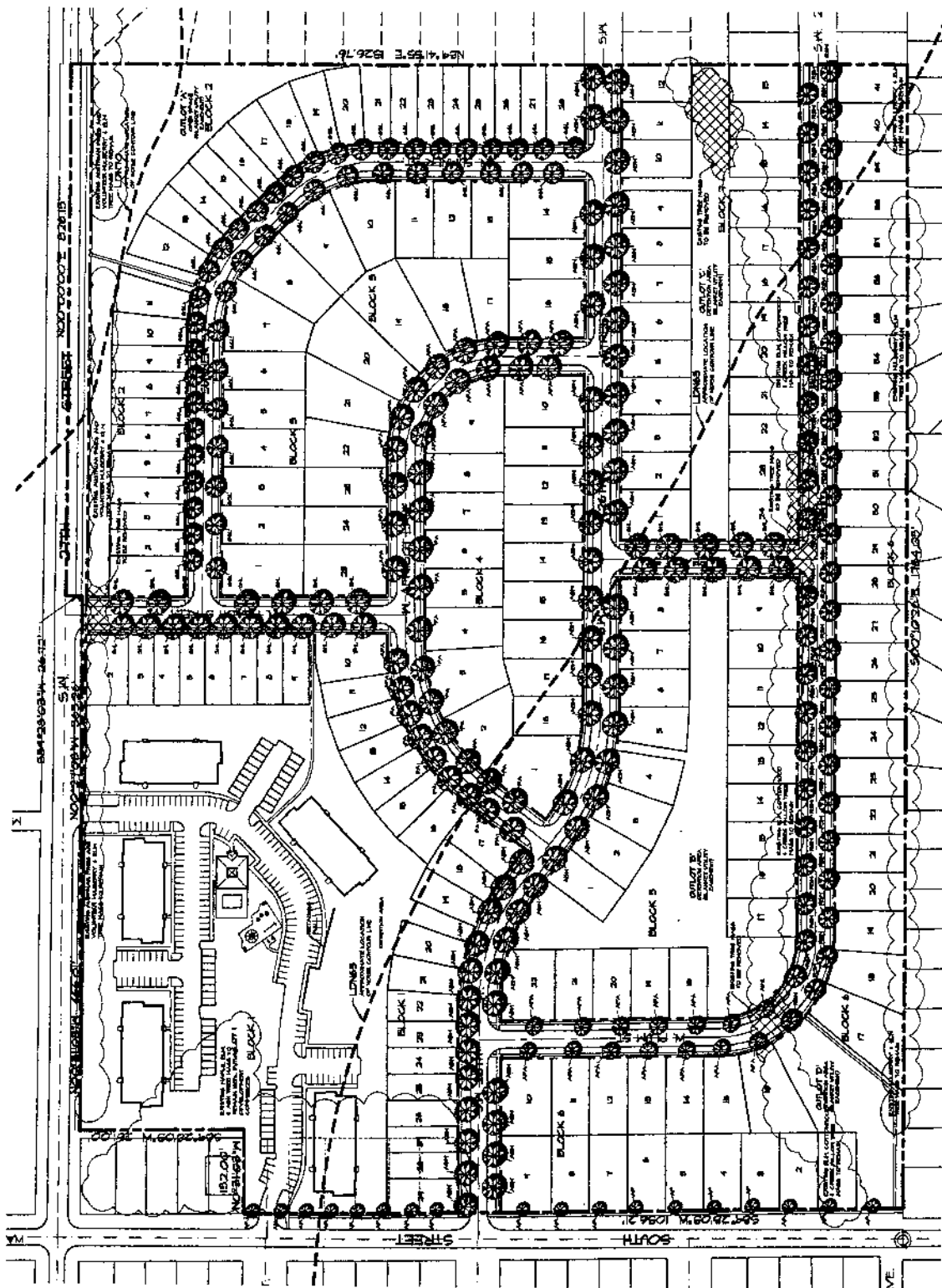
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— LONGFELLOW AVE —

015





Preliminary Plat #01020
Special Permit #1951
Change of Zone #3361
Hartland Homes Southwest
SW 27th & South St.



016

**HARTLAND HOMES S.W.
DENSITY CALCULATION (R-3)**

WITHIN 150'	BEYOND 150'
320,458.57	172,668.25
327,930.21	8,504.63
226,002.00	1,575.16
206,936.30	6,689.09
150,298.10	
232,443.93	
214,231.71	
<hr/> 1,678,300.82	<hr/> 189,437.13
	X 0.80
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 1,678,300.82	
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<hr/> 1,829,850.52	
/5000 (R-3)	
<hr/> 365.97	

365 UNITS

Dennis D Bartels

To: Thomas J Cajka/Notes@Notes

03/20/2002 12:00 PM

cc:

Subject: Hartland Homes Southwest

The detention calculations that you faxed me take care of the revised calculations that I requested in my last memo.

M e m o r a n d u m

MAR 18 2002

To: Tom Cajka, Planning

From: Dennis Bartels, Engineering Services

Subject: Hartland Homes Southwest Revised Preliminary Plat

Date: March 14, 2002

cc: Randy Hoskins
Roger Figard
Virendra Singh
Ben Higgins

Engineering Services has reviewed the Hartland Homes Southwest Revised Preliminary Plat located north of South Street east of Southwest 27th Street and has the following comments:

1. Water - The water system has been revised and is satisfactory.
2. Sanitary Sewer - No sewer is shown in South Street to serve the lots fronting South Street.
3. Street System - The grading plan shows a curb and gutter section on the north side of South Street and east side of Southwest 27th Street. This will not happen. The entire right-of-way of South Street and Southwest 27th Street will be graded and urban cross-section pavement built. Southwest 27th Street will need to be paved a minimum of 33' wide.
4. Drainage - The required storm sewer in South Street and Southwest 27th Street needs to be shown.

An easement is required over the detention areas to include the detention area, the outlet works and access for maintenance. The easement, as a minimum, needs to include all areas within the 100 year backwater depth plus one foot.

100 year flow elevations and calculations documenting how these were calculated must be submitted. The minimum floor elevations must match these calculations and include more lots than shown on the plans.

The detention has been revised from the original submittal. New calculations meeting design standards must be submitted. A note should be added to the plan to indicate that as-built plans and final design calculations will be submitted upon completion of the grading and accompanying detention facilities. Detailed grading and construction plans are required prior to building the detention. The plat needs to require private maintenance of the detention facilities. Final plans should include trash racks at the detention outlet structures.

If channel liners are not proposed along open ditches and thru detention areas, the calculations need to include documentation that velocities are not erosive. Final design of culverts also need to be checked for velocities and outlet protection provided if erosive velocities exist.

5. Streets - As noted previously, Southwest 27th Street and South Street need to be paved to an urban cross-section as a requirement of this plat.
6. General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system and public storm sewer system has been reviewed to determine if the sizing and general method of providing service is satisfactory. Design consideration including, but not limited to, location of water main bends around curved and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant locations, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connecting storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

Memo



To: Tom Cajka, Planning Department

From: Mark Canney, Parks & Recreation

Date: ~~March 5, 2002~~ (Revision of March 4, 2002)

Re: Hartland Homes Southwest

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

1. Need to submit a community outdoor recreation plan (a more detailed playground play space that includes at a minimum, a half court basketball court).
2. Please include a note on the plan stating that all outlot areas to be maintained by developer and/or future homeowners association.
3. Please include a note on the plan stating that existing trees located on Blocks, 5, 6, and 7 will be removed during the development process, except for those located along the east side.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # **DRF02024**

Address

Job Description: **HARTLAND HOMES SOUTHWEST**

Location: **HARTLAND HOMES SOUTH**

Special Permit: **N**

Preliminary Plat: **Y 01020**

Use Permit: **N**

CUP/PUD: **N**

Requested By: **TOM CAJKA**

Status of Review: **Approved**

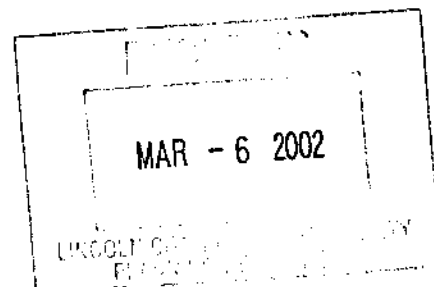
Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE**

BOB FIEDLER

Comments:

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards



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